2:Evans-Pritchard E-5 (1936) 1949
FL11 Loo FL11

lion, leopard, and elephant, left unoccupied between a tribe and its neighbours, a no-man's land between them. Such stretches of country were found between tribe and tribe but not between segments of a tribe, even when the segments were of different clans, e.g. between Alego and Gem but not between the Jokeyo, the Jokakwa, and the Jokerumb, in Alego tribe. The skin was sometimes extensive, as broad as ten miles.

Tribe raided tribe across the skin dividing them and here took place also the ritual demonstrations of two hosts. When a tribal dignitary, a man of substance, or a renowned warrior, died, or a man was killed in war, he was left unburied till the whole tribe, or a large segment of it, had advanced across the skin and demonstrated against the homesteads of a neighbouring tribe, parading their cattle before them and calling on their men with insults and abuse to come out and fight. Cattle were taken to entice the enemy into battle by a display of booty at his door and to compell the brave party to hold their ground should they be attacked, it being held ignoble for a herdsman not to defend his herd to the death. In this way Uyoma used to go out against Sakwa, Sauri against Asembo, Kisumu, and Gem, the Gem tribe to the south of the gulf against Kamagambo, Kabwor, Karwenyore, and Kanyamwa, Kanyamkoyo against Kwia, Gem, Myahar, the Kanz Basra, and even the Luanbwa. Where a Luo tribe bordered a Bantu tribe they made here against it in the same manner as Luo tribes made it against one another, the Bantu tribes of Kavirondo being structurally of the same order as Luo tribes. Usually the demonstrating party was not attacked. This only happened on occasions when here parties of opposite tribes met, each declaring its intention to challenge the other to battle, or when the demonstration turned into a raid for cattle, or when homesteads were invited. The rumours is kept up, but to-day is no more than a mimic skirmish, the cattle being driven onto the skin where the people snatch the shrubs and grasses. They bring back with them handfuls of a creeper to regenerate cattle taken from an enemy and throw them on the roof of the dead man's hut.

There was nothing that can be described as political office in a Luo tribe. The ruoth was an influential person, but no more. He was richer than his fellows in wives and cattle and people came often to his house to eat there and to discuss affairs of the day. I was told that a poor man might ask him for the gift of a cow to help him marry and that it was considered an honour to marry into his family. Any man gaining an enhanced social position of the kind was called ruoth, though he was in most instances a member of the dominant clan of the tribe. Some warriors (thandi, bulu) were renown for their courage and resource in war and were asked to lead raids into enemy territory. Though admired, a war leader, sometimes called thane jotelo, was not necessarily a ruoth or rich man, for he received little, perhaps a single cow, as his portion of the spoils of war. The position was not hereditary but derived from individual prowess and initiative. The man ganyo, 'father of the land', among also, or any one in some parts of Luoland, to have been a man of influence in each district. He was a senior member of a lineage of the dominant clan of the tribe and settled land disputes. The one who repre-

2:Evans-Pritchard E-5 (1934) 1949
FL11 Loo FL11

control the senior lineage of the clan ascribed to the sacred spear of the clan and guarded it towards the enemy before tribal war.

There were also a number of ritual experts. The most important of these, and the most important tribal figure among the Loo, seems to have been the *pakalo*, who in the language of African literature would be described as a tribal medicine-man or witchdoctor. There was one of these functionaries in each large tribal segment but one in a tribe was generally more influential than the others and a tribe requiring the services of an exceptionally famous *pakalo* might ask for them even if he lived in a distant tribe. His functions, which tended to pass from father to son, are said to have been to divine the fortunes of war, to curse the enemy, and to make magic to secure victory and the safety of the warriors. He kept his *bila*, war magic, in horns in a granary. He did not himself accompany a raid but in return for his ritual services he received part of the spoils and according to some informants was entrusted with its division. Consequently he was a rich, man of substance. The *pakalo* was also, at least sometimes, the *pakath* or rain *bath*, the rainmaker, while at other times the rainmaker seems to have been a different person to the *pakalo*. Rainmakers among neighbouring Bantu peoples were also consulted to. It is also said that the people had to wait permission of the *pakalo* to sow and that he had ritual functions in cases of homicide within the tribe and that he was a peacemaker who could intervene in a fight by dragging his leopard skin along the ground between the two sides.

4

In each tribe there is a dominant clan or lineage. The characteristics of a Loo clan are much the same as those I have described for the Nuer.

The Loo clan (*dho ot*) has a lineage structure, which means that every member of it can trace his exact genealogical relationship to every other member. Lineages (*dho wat*) are differentiated by adding to the name of a clan or of a larger lineage the expressions *wa* and the name of a smaller branch, as among the Lango, e.g. *Jonyo wa Jokayalo* are the Jokayalo major lineage of the Jonyo maximal lineage of the Jokingo clan. Collateral lineages are sometimes said to be *kanyingo*, presumably from *nyiko*, co-wife, to one another.

These larger clans associated with tribal territories are not always exogamous to-day, though they are believed to have been so in past times. It would be confusing to speak of two groups identical in their structural features by different terms because maximal lineages cannot intermarry in one and can intermarry in the other, so I use the word 'clan' for both, having stated a qualification to the accepted use of the term. Marriage is generally forbidden within the clan but it is recognized that the distance between maximal lineages may become so great, both in lineage-distance and through political and social separation, as to allow intermarriage between them. This has happened in the Jokingo clan of Anyo where two main lineages, the Jokingo and the Kelingo quarrelled and now intermarry sometimes. On the other hand marriage is not permitted within such big clans as the Kelipiket of Imma, the Kelkaromyo of Karomyo, and

10: Roscoe M-5 (ca. 1900)1915
FL11 Luo FL11

Government.

Chiefs as rulers. There is no king of the country, nor is there any single paramount chief; the Bantu chiefs claim equal, if not superior, rights to the land. Certain chiefs rule over extensive districts inhabited by the Nilotics, and their rights as leaders are considered to be hereditary; they are also looked to in cases requiring settlement or legislation.

Land tenure. Land which has not been cultivated in the past may be tilled by any family; but, when once it has been tilled, the community regard it as the property of the family whose ancestor first cultivated it. Should it be left fallow for a number of years, no other family may appropriate and till it without first obtaining the original owner's permission. Few people seek such permission, preferring to dig virgin-land which will afterwards belong to their children.

Local chiefs as the magistrates. The people live in communities. They build their houses in close proximity and in most cases surround them with a growing fence, leaving a gateway which can be closed during the night or in times of danger. Such a village group is ruled by a sub-chief who is under the authority of the district-chief. The chief of a village is magistrate and controls the general affairs of his people. This chief levies no taxes, but his people make him presents of goats and sheep, and of grain also at harvest time.

Courts and court fees. Any person wishing to bring a charge against another for any offence, real or imaginary, pays a small fee to the chief of the village before whom he lays his complaint or accusation. The chief or elder then summons the accused person and appoints a time when the case shall be heard. The chief sits with one or two village elders and gives his judgment. A person may appeal from a village chief to the principal chief in the district, and the elder who first tried the case will then go to the superior chief to be present when the case is reheard. The parties appealing have to pay fresh court-fees before the case is retried. The punishment in almost every case is a fine and the amount is determined by the gravity of the case. The losing party has to

16: Northcote G-5 (no date) 1907 FL11 Loo FL11

have absolute power, but in reality their influence is not great. Each chief subdivides his territory, placing each portion under a sub-chief. These sub-chiefs or headmen are supposed to attend frequently at the chief's village in order to hear and carry out his orders. If a crisis arises, an informal council of the heads of the village is called and the *patres familiarum* can express their views, though the decision rests with the chief. There is no kind of voting. This council will also assemble if the rule of the chief becomes intolerable. They may threaten to secede, but their resistance is always passive; the usual result, however, is that one or more of the headmen set up as chiefs on their own account, and quietly disregard the orders of their quondam superior. Land is held in common by the members of each clan, but jealously guarded from subjects of all other chiefs. A man may, and frequently does, move from one clan to another, but in that case he has to obey the orders of the chief to whose clan he has attached himself. There are no formalities attendant on such a change.

Trespass by the members of one chieftaincy upon the land of another is indeed the usual cause of the frequent small quarrels which arise and very often lead to bloodshed.

Internally, however, private ownership of land has to some extent made its appearance. The *Jaluo* village represents a family, the headman being the father or (if he be dead) the eldest brother. Besides his family he will, if he is a chief, or sub-chief, generally shelter one or two retainers whom he calls his *askari*,* police. When the time comes for laying out the *Shamba* or agricultural land, each adult male and female marks out and tills his own piece, the married women being helped by their daughters and younger sons; although the family in practice share the produce, theoretically the crop from each plot belongs to the member who tilled it; thus, if one of the sons wishes to sell some grain he can only sell what he has grown himself, and, similarly, one *askari* reaping what another has sown would be considered a thief.

Cases occasionally arise which illustrate this: if A's cattle or goats wander into B's shamba, though A and B live in one village, B claims compensation. Private tenure is, however, only temporary. If a village uses a certain piece of land for a year and then leaves it, another village may cultivate there; but as the *shambas* are usually close to the villages, and villages are separated by some little distance, such cases of appropriation are practically unknown. The rights, however, to a certain piece of land are only squatter's rights and confer no claim to *proprietas*.

In shape the *Jaluo* village is circular and is fenced round with euphorbia bush, stone or mud walls, or wattling, as may be most convenient. In the centre is the cattle pen; around this are the store houses of basket or wicker work; they are raised some two feet from the ground and are about five feet high and three feet in diameter; there is a small opening near the top sufficient to

* Swahili word adopted.

17: Southall E-5 (1946-1947) 1952 FL11 Lee FL11

friendly genus of *adhoic* (Lee hockey) between the smaller segments, through the wrestling and club-fighting of medium segments to the ritual warfare and open conflict of the larger lineages. Etymologically *diwe* means 'mouth of house' (*dhe* mouth; *or*, house) and, as quotations will show, often refers to the issue of children from the doorway of their mother's hut. This might further imply a principle of matrilineal descent, but of this there is not the slightest trace among the Lee. All their lineages are essentially patrilineal, but the original ancestors from whom they spring, and whose names they bear, may be either men or women, depending on whether segmentation took place between brothers of an elementary family or co-wives of a compound family. The significance of this etymology, and of the Lee interpretation of it, seems to be that the unity of uterine brothers in their mother's house is to them symbolic of the solidarity of members of the same *diwe*. But, as has been previously noted, uterine brothers are also regarded from the opposite point of view, as symbolic in their quarrels of the fission between lineage segments. Nor is this inconsistent, but is in line with the character of all Lee lineage segments, which in one context emphasize their unity against all outsiders and in another their internal divisions.

The *diwe* of Kanchwonyo is to its members the largest lineage which carries general social functions and which occupies one continuous block of territory. It is subdivided into smaller *dimoli* down to the level of those which are the primary settlement units. This is the class A system of segmentation which, as previously noted, may be from twofold to sixfold, and is usually fivefold in Kanchwonyo, according to the particular agnatic line taken. The points of origin of these *dimoli* are only a small selection from the very large number of points of potential segmentation which appear in the whole genealogy of Kanchwonyo (see large genealogical chart, Fig. 6, facing p. 50). For all uterine brothers, or co-wives with surviving male agnatic issue, from those of living families back to the earliest ancestors of the genealogy, represent points of fission in the class B segmentation, some of which have achieved class A status as *dimoli*.

Kanchwonyo as a *diwe* is thus a group of people claiming common agnatic descent from Kachwonyo and subdivided at several successive levels into a number of smaller *dimoli* all segmentally articulated. Kanchwonyo as a continuous block of territory occupied and controlled by this group is also correspondingly subdivided, so that the arrangement of parts into a whole coincides in both cases. It is when they have the territorial aspect of a *diwe* particularly in mind that the Lee refer to it as *gwang'* (pl. *gwogo*). The basic connotation is land, but the social group occupying the land is always implicit in the term *gwang'*. It would never be used for unclaimed or unoccupied land, which is *thim* (wilderness). Sentiment, in the sense defined above is thus a reasonable translation of *gwang'*. In Kanchwonyo all *gwogo* are thought of as being essentially lineage settlements. When the Lee have a territorial unit in mind as being the most inclusive of its kind, as they do in the case of Kanchwonyo itself and occasionally in some contexts the *dimoli* which are its major segments also, they refer to them as *piny* (country) rather than *gwang'*. The average population of territorial *gwogo* is approximately 500.

Dimoli, which are major segments of the same superordinate lineage, refer to one another as *dhanda* (pl. *dhandani*). The etymology of this word is uncertain, and it